

REMARKS

No claims are amended, no claims are cancelled, and no new claims are added; as a result, claims 1-51 are pending in this application.

Election/Restriction

In the Restriction Requirement mailed July 17, 2009, the Examiner has restricted the claims under 37 CFR 1.499:

Group I – Claims 1-22, 25-35, and 50-51, drawn to a method of data array processing using matrix factorization for biometrics, data mining, biological analysis, and neural networking, classified in class 706, subclass 25.

Group II – Claims 23-24, drawn to security data for a data networking based on traffic, classified in class 713, subclass 152.

Group III – Claims 36-51, drawn to the method of driving an electro-optic display, classified in class 345, subclass 76.

Applicants have reviewed the Restriction Requirement mailed July 17, 2009, and provisionally elect, with traverse, the claims of Group I (claims 1-22, 25-35, and 50-51). Reconsideration and withdrawal of the Restriction Requirement, in view of the remarks presented herein, is respectfully requested.

Applicants again bring to the Examiner's attention that the above identified application is a U.S. National Stage Filing under 35 U.S.C. 371 from International Patent Application No. PCT/GB2005/050219, filed November 30, 2005, which claimed priority under 35 U.S.C. 119 to United Kingdom Application No. 0428191.1, filed December 23, 2004. As such, the Unity of Invention standard, as described under 37 CFR 1.475, is the applicable standard for determining any restriction practices applicable to this application.

Further, according to MPEP 1893.03(d), when making a lack of unity of invention requirement, the examiner must explain why each group lacks unity with each other group (*i.e.*,

why there is no single general inventive concept) specifically describing the unique special technical feature in each group.

It is respectfully submitted that all of the groups of claims identified in the Restriction Requirement are linked to form a single general inventive concept because there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature, which is the method of digitally processing data according to claim 1 (or, more or less equivalently, claim 35, 36 or 50).

For example, claim 23 includes, "processing said data for analysis as claimed in claim 1 to determine said first and second matrices." Thus claim 23, which the Restriction Requirement has placed in Group II, along with dependent claim 24 that depends from claim 23, includes the same inventive concept as independent claim 1, as was included in Group I in the Restriction Requirement.

For analogous reasons, each of claims 26-31 either include, or depend from, a claim that includes the inventive concept of the method of claim 1. Therefore claims 26-31 including the same inventive concept as, and thus provide unity of invention with, independent claim 1.

For at least these reasons, Applicants respectfully submit that claims 1-51, as now pending in the application, include Unity of Invention under 37 CFR 1.475, and so are not eligible to be restricted into groups (as suggested in the Restriction Requirement mailed July 17, 2009 in the application) based on the requirement of 37 CFR 1.475 and MPEP 1893.03(d). Therefore, Applicants respectfully request withdrawal of the Restriction Requirement, and examination and allowance of claims 1-51 as they are now pending in the application.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (612) 371-2132 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2132

Date September 16, 2009

By

Robert B. Madden

Robert B. Madden

Reg. No. 57,521

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 16 day of September, 2009.

John D. Gustav-Wrathall

Name

John D. Gustav-Wrathall
Signature